

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

SUPER 8 MOTELS, INC.

Plaintiff,

V.

JALA INVESTMENTS, INC., et al.

Defendant.

Case No. 3:06-cv-00206-MHT

NOTICE CONCERNING SETTLEMENT CONFERENCE

COMES NOW Plaintiff, by and through counsel, and reports to the Court as follows:

As required by the Court's Uniform Scheduling Order, counsel for Plaintiff and Defendants have conferred regarding the possibility of settling this case. Plaintiffs give notice that the parties have reached a settlement in principal of this matter and are drafting the appropriate papers and settlement documents to finalize the settlement. The parties anticipate that they will require no more than 30 days to complete the settlement of this matter. Accordingly, the parties request that all pending deadlines, including submission deadlines on the Motion to Dismiss (*see* Doc. # 34) and the Motion for Summary Judgment (*see* Doc. # 29), be vacated and this matter be held in abeyance for the next 30 days, pending further order of the Court. The parties anticipate filing an appropriate proposed order after the settlement is finalized. This Notice is filed with the consent of the Defendants.

Respectfully submitted this 4th day of December, 2006.

s/ Kelly F. Pate

One of the Attorneys for Plaintiff
Super 8 Motels, Inc.

OF COUNSEL:

Robin G. Laurie (LAU006)
rlaurie@balch.com
Kelly F. Pate (FIT014)
kpate@balch.com
Balch & Bingham LLP
P. O. Box 78
Montgomery, Alabama 36101
(334) 834-6500
(334) 269-3115 fax

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing and/or that a copy of the foregoing has been served upon the following by United States Post Office depository on the 4th day of December, 2006.

John A. Christy, Esq.
Schreeder, Wheeler & Fling, LLP
1600 Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303

Shannon L. Holliday, Esq.
Copeland Franco Screws & Gill, P.A.
444 South Perry Street
Montgomery, Alabama 36104

Perry G. Jackson, Esq.
Roberts & Fish P.C.
Lakeshore Park Plaza
2204 Lakeshore Drive, Suite 205
Birmingham, AL 35209

/s Kelly F. Pate

Of Counsel